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PTO/SB/21 (08-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/620,061	
	Filing Date	July 14, 2003	
	First Named Inventor	Eduardo BLUMWALD	
	Art Unit	1638	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	9 + 19 refs	Attorney Docket Number	529642000221

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement w/ PTO/SB/08a/b (8 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1 One copy of 19 Cited References 2. Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 20872) Michael R. Ward - 38,651
Signature	
Date	June 23, 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: June 23, 2005	Signature: (Leah Kjellén)

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Dated: June 23, 2005 Signature: 

(Leah Kjellen)

Patent

Docket No. 529642000221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:
Eduardo BLUMWALD et al.

Serial No.: 10/620,061

Filing Date: July 14, 2003

For: HIGH SALT PLANTS AND USES FOR
BIOREMEDIATION

Examiner: Not Yet Assigned

Group Art Unit: 1638

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature (documents numbered 20, 24, 25, 26, 44, 49-52, 54, 56, 58, 68, 71, 76, 79, 81, 88, and 90) are submitted herewith. However, copies of the remaining documents cited in the attached Form PTO/SB/08a/b were previously submitted in an Information Disclosure Statement and/or Office Action, directed to related applications, and, accordingly, copies are not included herewith. Documents numbered 27, 33, 59-60, 64, 66, 73, 77, 80, 85, 89, 92, and 93 were previously submitted in related application Serial Number 10/155,535, filed May 24, 2002. Documents numbered 21-23, 28-32, 34-43, 45-48, 53, 55, 57, 61-63, 65, 67, 69-70, 72, 74-75, 78, 82-84, 86-87, 91, 93, and 95 were previously submitted in related application Serial Number 09/271,584, filed March 18, 1999. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

sf-1938993

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)


Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **529642000221**.

Dated: June **23**, 2005

Respectfully submitted,

By 

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ALTERNATIVE TO PTO/SB/08a/b (06-03)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/620,061
				Filing Date	July 14, 2003
				First Named Inventor	Eduardo BLUMWALD
				Art Unit	1638
				Examiner Name	To Be Assigned
Sheet	1	of	5	Attorney Docket Number	529642000221

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US 4,616,100	10-07-1986	McHughen et al.	
	2.	US 5,272,085	12-21-1993	Young et al.	
	3.	US 5,346,815	09-13-1994	Krulwich et al.	
	4.	US 5,441,875	08-15-1995	Hediger	
	5.	US 5,563,246	10-08-1996	Krulwich et al.	
	6.	US 5,563,324	10-08-1996	Tarczynski et al.	
	7.	US 5,639,950	06-17-1997	Verma et al.	
	8.	US 5,689,039	11-18-1997	Becker et al.	
	9.	US 5,750,848	05-12-1998	Kruger et al.	
	10.	US 5,780,709	07-14-1998	Adams et al.	
	11.	US 5,859,337	01-12-1999	Gasser et al.	
	12.	US 6,861,574	03-01-2005	Fukuda et al.	
	13.	US 20030046729 A1	03-06-2003	Blumwald et al.	
	14.	US 20050028235 A1	02-03-2005	Zhang et al.	
	15.	US 20050032112 A1	02-10-2005	Fukuda et al.	
	16.	US 20050034191 A1	02-10-2005	Blumwald	
	17.	US 11/067,558	FD 02-24-2005	Blumwald et al.	
	18.	US 11/067,456	FD 02-24-2005	Blumwald et al.	
	19.	US 11/065,977	FD 02-24-2005	Blumwald et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	20.	EP 1143002 A1	10-10-2001			
	21.	WO 91/06651	05-16-1991			
	22.	WO 96/39020	12-12-1996			
	23.	WO 97/13843	04-17-1997			
	24.	WO 99/47679	09-23-1999			
	25.	WO 00/37644	06-29-2000			

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city	T ²
Examiner Signature		Date Considered	

sf- 1866948

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/620,061
				Filing Date	July 14, 2003
				First Named Inventor	Eduardo BLUMWALD
				Art Unit	1638
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Sheet	2	of	5	Attorney Docket Number	529642000221

		and/or country where published.	
26.	AL-KARAKI, Ghazi N. (2000) "Growth, Water Use Efficiency, and Sodium and Potassium Acquisition by Tomato Cultivars Grown Under Salt Stress," Journal of Plant Nutrition, 23(1):1-8		
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38.	BOHNERT ET AL. (1996) "Strategies for engineering water-stress tolerance in plants" Trends in Biotechnology 14(3): pp. 89-97.		
39.	BORGESE ET AL. (1992) "Cloning and expression of a cAMP-activated Na ⁺ /H ⁺ exchanger: evidence that the cytoplasmic domain mediates hormonal regulation" PNAS USA 89: pp. 6765-6769.		
40.	BORK (2000) "Powers and Pitfalls in Sequence Analysis: the 70% Hurdle" Genome Research, Vol. 10: pp. 398-400.		
41.	BOWIE ET AL. (1990) "Deciphering the Message in Protein Sequences: Tolerance to Amino Acid Substitutions" Science, Vol. 247, pp. 1306-1310.		

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/620,061
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				First Named Inventor	Eduardo BLUMWALD
				Art Unit	1638
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Sheet	3	of	5	Attorney Docket Number	529642000221

42.	BRANT ET AL. (1997) Human Na ⁺ /H ⁺ exchanger isoform NHE3 composite cDNA: GenBank Accession Number T51330.
43.	BROUN ET AL. (1998) "Catalytic Plasticity of Fatty Acid Modification Enzymes Underlying Chemical Diversity of Plant Lipids" Science, Vol. 282: pp. 1315-1317.
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61.	JACOBY (Aug. 23, 1999) "Botanists design plants with a taste for salt" Chemical Engineering News: p. 9.	
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77.	PLANTSP (2002) "PlantsP: Functional Genomics of Plant Phosphorylation-PlantsP Protein 27103" Retrieved Feb. 5, 2005, from http://plantsp.sdsc.edu/cgi-bin/detail.cgi?db=plantsp&plantsp_id=27103 .	
78.	RAUSCH ET AL. (1996) "Salt stress responses of higher plants: The role of proton pumps and Na ⁺ /H ⁺ -antiporters" Journal of Plant Physiology 148 (3-4): pp. 425-433.	
79.	RHOADS ET AL. (1998) "Regulation of the cyanide-resistant alternative oxidase of plant mitochondria" J. Biol. Chem. 273 (46): pp. 30750-30756.	

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80.	RUBIO ET AL. (1999) "Genetic Selection of Mutations in the High Affinity K ⁺ Transporter HKT1 That Define Functions of a Loop Site for Reduced Na ⁺ Permeability and Increase Na ⁺ Tolerance" J. Biol. Chem. 274 (11): pp. 6839-6847.
81.	RUS, A.M. et al. (2001) "Expressing the Yeast HAL1 Gene in Tomato Increases Fruit Yield and Enhances K ⁺ /Na ⁺ Selectivity Under Salt Stress," Plant, Cell and Environment, 24:875-880
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*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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